

## DECLARATION, POWER OF ATTORNEY AND PETITION

I, John Claude Krusz, hereby state that I am a citizen of the United States of America and a resident of Dallas, Texas; that I verily believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention or discovery entitled USE OF LEVETIRACETAM FOR TREATING OR PREVENTING ACUTE HEADACHES, as described and claimed in a patent application that was filed on June 20, 2003 and that was given serial number 10/600,818; that I have reviewed and understand the contents of the above-identified specification, including the claims; that I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application; that the same was not in public use or on sale in the United States of America more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a); that I do not claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application for patent or inventor's certificate; and that no foreign application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns.

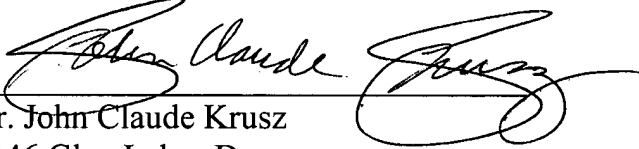
I claim the benefit under Title 35, United States Code, §119(e), of United States provisional patent application number 60/390,317, filed on June 20, 2002.

I further declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true, and that I have been warned that willful false statements and the like are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint Patrick D. Kelly, USPTO Reg. No. 30,650, with a mailing

address of 11939 Manchester #403, St. Louis, MO 63131, as my attorney, with full power of substitution and revocation, to prosecute this application and to transact all business connected therewith in the United States Patent and Trademark Office, and in any patent office of any foreign nation, state, or organization.

WHEREFORE, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

	<u>2/10/04</u>
Dr. John Claude Krusz	Date
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